



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of **Botich et al**

Application No. 10/727,363

Attorney Docket No. 1032-P01445US3

Filed: December 3, 2003

For: **CATHETER INSERTION DEVICE  
WITH RETRACTABLE NEEDLE**

Examiner: Han, Mark

Group Art Unit: 3763

**TERMINAL DISCLAIMER**

MDC Investment Holdings, Inc. (hereinafter "Owner"), a Corporation, states that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above. A copy of the assignment from the inventor(s) to the Owner is attached.

The Owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,077,244. The Owner hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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I declare that I am empowered to act on behalf of the Owner, and all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true. I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



\_\_\_\_\_  
Signature

\_\_\_\_\_  
11-18-05  
Date

Joseph N. Bongiovanni, Esq. – Secretary  
Typed or printed name